

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

| | | |
|------------------------|---|----------------------|
| RONALD JONES BEY, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 4:12-CV-1130-JAR |
| |) | |
| BANK OF AMERICA ,N.A., |) | |
| |) | |
| Defendant. |) | |

MEMORANDUM AND ORDER

On June 22, 2012, Plaintiff Ronald Jones Bey (Bey) filed this action against Bank of America arising out of a foreclosure action on property he owns. Bey is proceeding pro se, and filed his complaint and attached materials using the district's form complaint. (Doc. No. 1) On July 27, 2012, Bey filed an Amendment to Original Complaint. (Doc. No. 4) On October 10, 2012, Bey filed a "Petition for a Verification of Debt Else Release of Claim." (Doc. No. 14) Bank of America filed a motion to dismiss Bey's complaint on grounds of insufficient service of process and failure to state a claim. (Doc. No. 11) The Court construed Bey's filing as an amended complaint and ordered him to file a separate motion for leave to amend, with the proposed amended complaint attached no later than November 15, 2012. (Doc. No. 15) On November 14, 2012, Bey filed the instant Motion to Amend Original Complaint. [ECF No. 16]

Leave to amend should be freely given when justice so requires. Fed.R.Civ.P. 15(a)(2). Taking into consideration the fact that Bey is proceeding pro se, the Court will grant him leave to amend his complaint.

Accordingly,

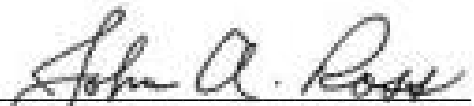
IT IS HEREBY ORDERED that Plaintiff's Motion to Amend Original Complaint [16]

is **GRANTED**.

IT IS FURTHER ORDERED that the Clerk of the Court shall detach and docket Plaintiff's Amended Complaint, which was submitted as an attachment to his motion for leave.
(Doc. No. 16-2)

IT IS FURTHER ORDERED that Defendant's Motion to Dismiss Complaint [11] is **DENIED** without prejudice as moot. Defendant may reassert its motion to dismiss as to Plaintiff's amended complaint.

Dated the 20th day of February, 2013.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE